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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,840	02/15/2001	Yakov Kamen	007287.00049	3827
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BAUTISTA, XIOMARA L				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/784,840

Applicant(s)

KAMEN ET AL.

Examiner

X. L. Bautista

Art Unit

2179

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 12-26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 12-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suzuki** (US 6,611,262 B1), **Cheng** (US 6,724,407 B1), and **Dalal et al** (US 6,363,404 B1).

Claims 12, 17 and 22:

Suzuki discloses a computer-implemented method for *converting information from a uniform resource locator into a texture*. **Suzuki** discloses a system for editing and recording a moving picture. **Suzuki** teaches that with VRML (virtual reality modeling language), it is possible to attach a texture to a 3D (three-dimensional) object (abstract; col. 1, lines 8-20). A node called "Texture" is defined for still pictures and a node called "MovieTexture" is defined for moving pictures. Information on the texture to be attached is described in these nodes (abstract; col. 1, lines 49-67; col. 2, lines 1-19, 48-55).

Suzuki explains that a 3D object is described by using VRML. A scene consisting of a plurality of 3D objects, moving pictures, etc., is described according to VRML. Suzuki teaches that in VRML, texture to be attached to (mapped with) a 3D object is designated by a (uniform resource locator) URL (col. 7, lines 21-29, 40-51; col. 8, lines 20-25).

Suzuki discloses *creating a three-dimensional object using two-dimensional information obtained from the uniform resource locator*. Suzuki teaches that a plurality of images, sounds, or computer data can be handled or displayed in a two-dimensional or three-dimensional space after being subjected to a given conversion process (col. 1, lines 39-43). Suzuki teaches that a rendering circuit attaches texture information to an object at a given position; and the texture can be attached to a certain polygon. Suzuki explains that in transmitting three-dimensional object information, it is necessary to transmit three-dimensional coordinates of each vertex (col. 2, lines 48-55). Suzuki teaches that a natural image (2D) can be handled by describing three-dimensional object using virtual reality modeling language (VMRL), wherein a position is represented by URL expressed in ASCII format (col. 7, lines 19-30, 40-50; col. 8, lines 20-24).

Suzuki does not teach *determining that a virtual three-dimensional space does not exist and in response to determining that the virtual three-dimensional space does not exist, creating a virtual three-dimensional space*. However, **Cheng** discloses a method and system having a three-dimensional (3D) viewing environment generating module. Cheng teaches that when a resource locator (URL) identifying a requested

hypermedia resource is received from the network by a computer; the 3D viewing environment generates a 3D viewing environment corresponding to the requested hypermedia resource (col. 2, lines 42-56). Cheng explains that if there is not 3D viewing environment available that corresponds to a requested resource, then the 3D viewing environment generator generates one (col. 3, lines 16-27; col. 7, lines 19-36; col. 8, lines 55-65). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Suzuki's method of handling 2D and 3D viewing environments to include Cheng's teaching of generating a 3D viewing environment when it is not available because a 3D environment provides realistic rendering spaces for experiencing audio and/or visual content and viewing images that have depth so that users, such as a physician can reconstruct a heart and view the structural defects at any angle.

Suzuki/Cheng discloses *creating a virtual 3D space by using pipeline conversion information obtained from the URL and placing the 3D object in the created virtual 3D space; and mapping the texture onto a surface of the 3D object*. Suzuki teaches video objects and nodes describing information relating a surface of an attachment; each node describes a URL that indicates an address of a corresponding AV (moving image, sound, audio) data file (col. 9, lines 46-67; col. 10, lines 1-7, 16-44; col. 11, lines 20-28; col. 22, lines 1-17). Suzuki teaches using 3D pipeline for converting information obtained from a URL into a texture (col. 1, lines 63-65; col. 2, lines 16-22; col. 5, lines 62-67; col. 6, lines 1-61). Suzuki teaches a client computer that decodes transmitted

signal into an original image, sound, or computer data that can be displayed in a 2D or 3D space and are subjected to a conversion process (col. 2, lines 37-47). Cheng teaches a software program that provides instructions for a computer running a 3D browser to provide a viewing environment in a 3D space (col. 2, lines 57-67) and a processor running 3D software (col. 8, lines 55-61).

Suzuki/Cheng does not teach creating a three-dimensional object with at least two surfaces and placing the three-dimensional object in the created virtual three-dimensional space such that more than one surface of the 3D object is concurrently viewable. However, **Dalal** discloses a method and system for providing user-interfacing within textures or 3D models and generating a document as texture by selecting a link element displayed within a 3D model's texture (abstract; col. 1, lines 60-65; col. 2, lines 1-12, 16-22). Dalal teaches creating a three-dimensional object with at least two surface and placing the three-dimensional object in the created virtual three-dimensional space such that more than one surface of the 3D object is concurrently viewable (fig. 3; col. 7, lines 43-53; col. 8, lines 13-32, 54-57). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention to modify Suzuki/Cheng's method of displaying 3D information to include Dalal's teaching of displaying 3D objects having multiple surfaces so that at least two surfaces are concurrently viewable because the 3D object allows the user to view multiple different images retrieved from a different URL for each surface and it allows for easy selection of hyperlinks within each texture (each surface) of the 3D object.

Claims 13, 18 and 23:

See claim 12. Suzuki/Cheng teaches intercepting an event associated with the texture; locating an area associated with the event; computing 2D coordinates of the area; and placing an event driven result on top of a surface of the 3D object, wherein the event driven result is associated with the event associated with the image (Suzuki: col. 14, lines 1-41).

Claims 14, 19 and 24:

Suzuki teaches that textures may be attached or added to still pictures, moving pictures, and URLs (col. 10, lines 1-7; col. 11, lines 20-29).

Claims 15, 20 and 25:

See claim 12. Suzuki teaches a 3D object having at least one wall (still picture) that composes the object's surface, wherein the system enables a user to attach texture to an object

Claims 16, 21 and 26:

See claim 12. Suzuki discloses obtaining a 3D coordinate of a surface or area; a browser for displaying a 3D object; and transforming a 3D coordinate into 2D coordinate of the area (col. 2, lines 48-55; col. 10, lines 25-33; col. 16, lines 25-36).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/X. L. Bautista/
Primary Examiner, Art Unit 2179

09 June 2009